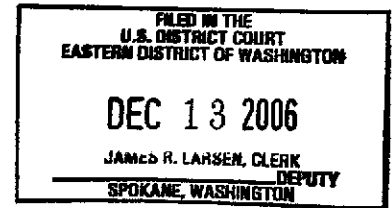


Report Date: December 12, 2006

United States District Court

for the

Eastern District of Washington



**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Dale Lee Miller

Case Number: 2:04CR00075-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen

Date of Original Sentence: 09/27/2004

Type of Supervision: Supervised Release

Original Offense: Involuntary Manslaughter, 18
U.S.C. § 1153 and 1112; Assault Resulting in Serious
Bodily Injury, 18 U.S.C. § 1153 and 113(a)(6)

Date Supervision Commenced: 12/12/2006

Original Sentence: Prison - 37 Months;
TSR - 36 Months

Date Supervision Expires: 12/11/2009

PETITIONING THE COURT

To modify the conditions of supervision as follows:

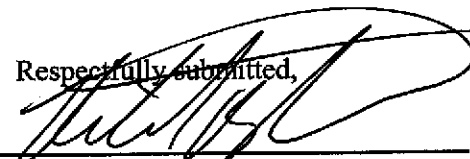
- 20 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 21 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

CAUSE

Pursuant to Ninth Circuit case law, *United States v Stephens*, the above request for modification of conditions is being requested with the offender's consent.

Respectfully submitted,

by


Richard B. Law
U.S. Probation Officer
Date: December 12, 2006

Prob 12B

Re: Miller, Dale Lee

December 12, 2006

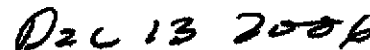
Page 2

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

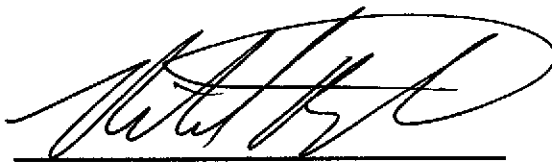
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

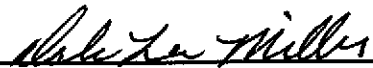
- 20 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 21 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Witness:



Richard B. Law
U.S. Probation Officer

Signed:



Dale Lee Miller
Probationer or Supervised Releasee

December 12, 2006

Date